

City Council Agenda

Council President
Clinton J. Olivier

Councilmembers

Oliver L. Baines III
Andreas Borgeas
Lee Brand

Sal Quintero
Larry Westerlund
Blong Xiong – Acting President

City Manager
Mark Scott

City Clerk
Yvonne Spence, CMC

City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

October 4, 2012

8:30 A.M. ROLL CALL

Invocation by Pastor Kevin Smith of Ark Christian Fellowship

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Presentation of SPCA Pet of the Month – Councilmember Olivier

Proclamation of "DISABILITY AWARENESS MONTH" – Mayor's Office

a. Presentation of Disability Advisory Commission Annual Achievement Awards

The agenda and related staff reports are available on (www.fresno.gov) as well as in the Office of the City Clerk. The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of September 27, 2012

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered as time allows.

- A. * **RESOLUTION** - 14th amendment to the Annual Appropriation Resolution (AAR) No. 2012-125 re-appropriating \$6,100 in grant funds from CalRecycle for the Oil Payment Program Grant (**Requires 5 affirmative votes**) – Department of Public Utilities

Action Taken:

- B. **Actions pertaining to the Fresno Regional Foundation for the creation of a Youth Liaison Officer – Police Department**

1. Authorize acceptance of the grant award from the Fresno Regional Foundation and authorize the Chief of Police to enter into and execute the agreement for all required program documents

Action Taken:

2. * **RESOLUTION** – 16th amendment to the Annual Appropriation Resolution (AAR) No. 2012-125 appropriating \$118,400 for the Fresno Regional Foundation – Youth Liaison Officer Grant Project (**Requires 5 affirmative votes**)

Action Taken:

CONTESTED CONSENT CALENDAR

GENERAL ADMINISTRATION

- A. Authorize the PARCS Director to execute agreement between the City of Fresno and Downtown Fresno Partnership for management of vendor and event permits on Fulton Mall (**Property located in District 3**) – Development and Resource Management Department

Action Taken:

- B. Consideration of approval of Measure "C" cooperative agreements for the installation of a traffic signal at the intersection of Peach Avenue and Church Avenue, the widening of Herndon Avenue from Brawley Avenue to Valentine Avenue, and the widening of eastbound Herndon Avenue from Blythe Avenue to Brawley Avenue (**Projects located in Districts 2 and 5**) – Public Works Department

Action Taken:

GENERAL ADMINISTRATION CONTINUED

- C. **RESOLUTION** - Authorizing the Public Works Director or designee to specify Johnson Control System for all City facilities that require a Direct Digital Controls/Energy Management System (DDC/EMS) pursuant to Administrative Order 3-3, sole source purchases over the formal bid limit - Public Works Department
Action Taken:
- D. Authorize the City of Fresno to enter into a two (2) year agreement with California State University, Fresno for \$684,030.80 to provide police services at California State University, Fresno events – Police Department
Action Taken:

CITY COUNCIL

A. COUNCIL COMMUNICATIONS & ASSIGNMENTS

1. Council of Governments (COG) Swearengin, Ex-Officio/Alternate-Borgeas
Financial Audit Committee Borgeas, Brand, Olivier
Fresno Area Workforce Investment Corporation Baines
Fresno County Transportation Authority (FCTA) Swearengin, Borgeas
Fresno Regional Workforce Investment Board Renena Smith
Fresno County Zoo Authority Swearengin, Alternate – Baines
Fresno Madera Agency on Aging Board Olivier
Joint Powers Financing Authority Olivier
Leadership Council on Ending Homelessness Swearengin, Baines
San Joaquin River Conservancy Board Swearengin, Alternate – Westerlund
The Association for the Beautification of Highway 99 Baines
Upper Kings Basin Integrated Regional Water Management Joint Powers Authority Borgeas
Pension Reform Task Force Borgeas, Brand, Xiong
Economic Development Corporation Serving Fresno County Ex-Officio – Borgeas
Fresno/Clovis Convention & Visitors Bureau (CVB) Renena Smith
League of California Cities (Annual Meeting) Swearengin, Alternate - Xiong
San Joaquin Valley Air Pollution Control District (SJVAPCD) Baines

2. Council Appointments, Reappointments, Removals To/From City and Non-City Boards and Commissions

Action Taken:

- B. **WORKSHOP** and actions related to Fresno City and County Public Safety Services – Councilmembers Borgeas, Brand and Baines

Action Taken:

1. **RESOLUTION** - Establishing the Public Safety Evaluation Ad Hoc Committee
Action Taken:
2. Authorize City Manager to execute the consulting agreement with Management Partners, Inc. in an amount not to exceed \$50,000
Action Taken:
3. * **RESOLUTION** - 19th Amendment to the Annual Appropriations Resolution No. 2012-125 appropriating \$50,000 to fund the agreement with Management Partners, Inc. **(Requires 5 affirmatives votes)**
Action Taken:

- C. **RESOLUTION** - Acknowledging the children's movement of Fresno and their work related to the importance of reading at grade level; supporting renew Measure B and recognizing the value of libraries for children: Measure "B" – Acting President Xiong
Action Taken:

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a);
1. City of Fresno v. RAPS Fresno, LLC; et al. (Hotel Fresno)
Action Taken:
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9 Subdivision (b)
1. **Significant Exposure to Litigation** regarding the HUD Audit/Monitoring report and impact on City programs/projects
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS⁹

9:00 A.M.

**JOINT MEETING WITH THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT
AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION**

- A. Successor Agency Board, Fresno Revitalization Corporation Board and City Council consider adopting:**
1. **JOINT RESOLUTION** - Of the City of Fresno as the Successor Agency to the Redevelopment Agency of the City of Fresno and the Fresno Revitalization Corporation approving a Purchase and Sale Agreement with Boos Development West, LLC for the sale of certain former Redevelopment Agency parcels located within Southwest Fresno G.N.R.A. (***Successor Agency & Fresno Revitalization Corporation Action***)
Action Taken:
 2. **JOINT RESOLUTION** - Of the City of Fresno in its Capacity as the Successor Housing Agency of the former Redevelopment Agency of the City of Fresno and the Fresno Revitalization Corporation approving a Purchase and Sale Agreement with Boos Development West, LLC for the sale of certain former Redevelopment Agency Housing Parcels located within the Southwest Fresno G.N.R.A. (***City & Fresno Revitalization Corporation Action***)
Action Taken:

ADJOURN

PLEASE NOTE: SCHEDULED AND UNSCHEDULED COMMUNICATIONS ARE NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

SCHEDULED COMMUNICATION –

UNSCHEDULED COMMUNICATION – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Oct. 11 – NO MEETING – COLUMBUS DAY

Oct. 18 - 1:00 P.M. MEETING BEGINS

Oct. 18 - 1:15 P.M. HEARING to consider renaming the Copper and Friant Park-and-Ride/Trailhead to the "Jon Alsdorf Park-and-Ride/Trailhead"

Oct. 25– 8:30 A.M. MEETING

Nov. 1– 8:30 A.M. MEETING

Nov. 8 - 10:00 A.M. HEARING to annex Final Tract Map No. 5447 and Final Tract Map No. 5815, Annexation No. 47, to City of Fresno Community Facilities District No. 11